

APPENDIX 1 - LAWS AND REGULATIONS GOVERNING LAND USE

Land use in the Town of Framingham is subject to regulation under various state and local laws and by-laws. In addition to the Zoning By-Law (and its statutory authority, “THE ZONING ACT”, Chapter 40A of the Massachusetts General Laws), these laws and by-laws include the following:

1. **Subdivision of land** is regulated under Mass. Gen. Laws Ch. 41, Sections 81K - 81GG (“THE SUBDIVISION CONTROL LAW”), and the Framingham Planning Board’s “RULES AND REGULATIONS GOVERNING THE SUBDIVISION OF LAND IN THE TOWN OF FRAMINGHAM”, adopted pursuant to Ch. 41. The “RULES AND REGULATIONS” set forth standards for the construction of streets and municipal services and ensuring sanitary conditions in subdivisions.
2. **Development in wetlands** is regulated under Section 18. “Framingham Wetlands Protection By-Law” of Article V. “Health and Safety” of the TOWN OF FRAMINGHAM BY-LAWS (*see APPENDIX 8 of these Zoning By-Laws*) and the State Wetlands Protection Act, M.G.L. Ch. 131, Sec. 10, administered by the Framingham Conservation Commission and the Massachusetts Department of Environmental Management. The Framingham Wetlands Protection By-Law and the Wetlands Protection Act provide for public review of proposed projects which involve construction or other alterations of land in or near wetlands or other land which is subject to periodic flooding.
3. **“Nuisances”**, or specific conditions constituting a hazard or blight, may be regulated under Section 22 “Nuisance By-Law” of Article V “Health and Safety” of the TOWN OF FRAMINGHAM BY-LAWS (*see APPENDIX 2 of these Zoning By-Laws*), adopted pursuant to the general powers granted to cities and towns by Article 89 of the Amendments to the Massachusetts Constitution and the specific powers granted by M.G.L. Ch. 139, Sec. 1 - 3A. Under this Bylaw, the Building Commissioner shall investigate reported nuisances, and where present, shall give notice to the owner and occupant to cease the nuisance. The Building Commissioner shall enforce this Bylaw via a court complaint, a fine, or other action as is necessary to enforce the provisions of the Nuisance Bylaw.
4. **Signs** are regulated under Section 1 “Sign By-Law” of Article VII. “Signs and Districts” of the TOWN OF FRAMINGHAM BY-LAWS (*see APPENDIX 3 of these Zoning By-Laws*), adopted pursuant to M.G.L. Chapters 93 and 43B. The Sign By-Law is enforced by the Building Commissioner.
5. **Off-street parking** is regulated by the Zoning By-Law (Sec. IV.A and IV.B.) and the Town’s handicapped parking by-law (*see APPENDIX 4 of these Zoning By-Laws*). Both sets of regulations set forth similar standards with respect to handicapped parking: the principal difference is that whereas the Building Commissioner is responsible for enforcement of the Zoning By-Law, the Police Department is responsible for enforcement of the Handicapped Parking By-Law. Handicapped parking in the Town of Framingham is also governed by the standards of the “Americans with Disabilities Act” and the Massachusetts Architectural Access Board.
6. **Preservation of Historic or Architecturally Significant Buildings** is governed by Section 17A. “Demolition Delay By-Law for Historic or Architecturally Significant Buildings” of Article V. “Health and Safety” of the TOWN OF FRAMINGHAM BY-LAWS (*see APPENDIX 9 of these Zoning By-Laws*).
7. **Permits for Access to Public Ways** are regulated under Section 8 “Public Way Access Permits” of Article VI. “Roads, Highways, Bridges, Rubbish Disposal, Water and Sewer” of the TOWN OF FRAMINGHAM BY-LAWS (*see APPENDIX 10 of these Zoning By-Laws*).
8. **Scenic Roads** are regulated under Section 10. “Administration of the Scenic Road Act” of Article VI. “Roads, Highways, Bridges, Rubbish Disposal, Water and Sewer” of the TOWN OF FRAMINGHAM BY-LAWS (*see APPENDIX 11 of these Zoning By-Laws*) and the Scenic Road Act, M.G.L. Ch. 40, Sec. 15C, administered by the Framingham Planning Board. These regulations provide for public review of proposed projects which involve the cutting or removal of trees, or the tearing down or destruction of stone walls within the boundaries of roads designated as scenic road by the Town.

In addition to the above laws and regulations, other regulations and standards such as historic district controls, utility permit requirements, and the Town of Framingham Department of Public Works’ “Construction Standards” may apply to specific cases.